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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

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|--------------------------------|---|-----------------------|
| In the Matter of               | ) |                       |
|                                | ) |                       |
| Beacon Broadcasting, Inc.      | ) | File No. EB-03-BF-059 |
| Licensee of Radio Station WANR | ) |                       |
| Facility ID # 70531            | ) | NOV No. V20033228002  |
| Warren, Ohio                   | ) |                       |
|                                | ) |                       |
| Attention: William Henry       | ) |                       |

**NOTICE OF VIOLATION**

**Released: September 26, 2003**

By the Resident Agent, Buffalo Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Beacon Broadcasting, Inc, licensee of radio station WANR.

2. On August 5, 2003 an agent of the Commission's Buffalo Office inspected radio station WANR located at Warren, Ohio and observed the following violation:

- a. 47 C.F.R. § 73.49: "Antenna towers having radio frequency potential at the base, must be enclosed within effective locked fences or other enclosures." The gate for the fence that partially enclosed the tower was missing, exposing any unsuspecting curious visitor to deadly potential.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Beacon Broadcasting, Inc. must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 308(b).

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Buffalo Office  
1307 Federal Building  
Buffalo, New York 14202

4. This Notice shall be sent to Beacon Broadcasting, Inc., William Henry, 6578 Summers Road, Windsor, Ohio 44099.

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

David A. Viglione  
Resident Agent  
Buffalo Office

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<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*